

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5442 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

OKHA MANDAL TALUKA

Versus

STATE OF GUJARAT

Appearance:

MR HARIN P RAVAL for Petitioners

MR DN PATEL, I/c. GP for Respondents

CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 24/06/1999

ORAL JUDGEMENT

Petitioner No.1 is a co-operative society duly registered under the provisions of Gujarat Co-operative Societies Act, 1961 (Act). The petitioner society has filed this writ petition under Article 226/227 of the Constitution of India challenging the legality and validity of the order recorded by respondent No.2 in exercise of his revisional powers under section 155 of the Act. It has also challenged the legality and validity of the show

cause notice dated 28.11.89 and thereafter the order passed by respondent No.4, dated 14.2.90 under section 81 of the Act whereby the Managing committee of the petitioner No.1 Society has been superceded and Administrator had been appointed only for a period of one year. It was, rightly, submitted that the appointment of the Administrator and disqualifying the members of the petitioner society was limited for a period of one year and that period has already expired, therefore, this petition has become infructuous. In the circumstances, this petition is rejected. Rule discharged. Interim relief stands vacated. No order as to costs.

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